

**Petition for Order to Remove Administrator of Estate and to Allow Appointment of  
 Named Alternate Co-Executrix**

<b>DOD: 10/28/08</b>		<b>KATHY McGOWAN</b> , daughter/Co-Executrix, is Petitioner.  <b>Petitioner states:</b> 1. She was appointed Co-Executrix along with Yvonne McDowell, surviving spouse of the decedent, on 11/04/10. 2. Yvonne McDowell ("Yvonne") should be removed as Co-Executrix of the decedent's estate on the following grounds: a. Yvonne has failed to respond to her attorneys since September 22, 2010 and the estate cannot be completed for distribution to the beneficiaries without her; b. Mail to Yvonne at the family home has been returned and it is Petitioner's understanding that the home was foreclosed and Yvonne moved; c. Mail to the forwarding address for Yvonne has not been returned by the U.S. Postal Service, but Yvonne has failed to respond to numerous letters requesting her assistance to close the estate, or in the alternative, to resign as Co-Executrix. 3. Jacqueline McDowell, the named alternate Co-Executrix in decedent's will has agreed to accept appointment as Co-Executrix so that the estate distribution can be completed.  <b>Petitioner prays for an Order:</b> 1. That the Court issue a Citation directed to Yvonne Hervey McDowell as Co-Executrix of the decedent's estate requiring her to appear and show cause why she should not be removed and her Letters Testamentary be revoked; 2. That the Court remove and revoke the Letters Testamentary of Yvonne Hervey McDowell; and 3. That the Court appoint Jacqueline McDowell as Co-Executrix with Kathy McCowan, the current acting and appointed Co-Executrix.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <i>Note: Citation issued 3-29-13 was personally served on Yvonne McDowell on 3-21-13.</i>
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		<b>Reviewed by:</b> JF <b>Reviewed on:</b> 03/25/13 <b>Updates:</b> 04/03/13 (skc) <b>Recommendation:</b> <b>File 1 - McDowell</b>	

<b>DOD: 7/29/10</b>		<p><b>FRANK HINE</b>, Brother, was originally appointed Administrator with Full IAEA with bond of \$118,260.00 on 1/5/11.</p> <p>On 2/23/12, Attorney Jeff Reich filed a motion to be relieved as counsel. At hearing on 4/4/12, a Substitution of Attorney was filed and the Court noted for the record that Attorney Krbechek is now attorney of record.</p> <p><b>I&amp;A filed 6-6-12</b> indicates a total estate value of \$134,550 including real property and various vehicles and personal property items.</p> <p>On 6/15/12, the Court decreased the bond amount to \$45,000.00 and reduced Administrator's authority under the IAEA to limited authority requiring confirmation of sale.</p> <p>Letters issued on 10/24/12.</p> <p>This status hearing was set by minute order dated 4/4/12.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> It appears that this status hearing should come off calendar. There is a status hearing currently set on 6/21/13 for the filing of the first account or petition for final distribution.</p> <p>In addition, at the status hearing on 3/22/13, it was discovered that the Letters issued on 10/24/12 allowed full IAEA authority when the Court granted only limited authority. The court directed Mr. Krbechek to submit corrected letters with limited powers. That status hearing was continued to 5/3/13.</p>	
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				<p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 3/26/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 2 - Hine</b></p>

## Amended First Account and Report of Conservator (Prob. C. 2620)

<b>Age:</b>		<b>JUSTINE SEREFINE</b> , Conservator without bond, is Petitioner.  Account period: 8-8-11 through 8-7-12  Accounting:           \$ 205,008.07 Beginning POH:       \$ 29,016.11 Ending POH:          \$ 133,217.46 (\$8,217.46 cash, real property)  Conservator: Not addressed Attorney: Not addressed  <b>Petitioner requests that:</b>  1. The Court approve, allow, and settle the account as filed; and  2. For such other and further relief as may be just, equitable, and proper.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>SEE PAGE 2</b></u>
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		<b>Reviewed by:</b> skc	
		<b>Reviewed on:</b> 3-27-13	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 3 - Danielson</b>	

**NEEDS/PROBLEMS/COMMENTS:**

1. It appears per Schedule C(3) Other Disbursements (total \$28,013.67) that the conservatorship estate is paying the entirety of the household bills (groceries, utilities, cable, Costco membership, etc.); however, it appears that the Conservatee's mother and sister reside in the home with him. Need clarification as to the other residents' contributions to household expenses.
2. Schedule C(2) indicates that aside from paying all household expenses, \$17,232.00 (\$1,436/month) was disbursed to "VA-approved account for use by Conservatee," which is not included in this accounting. Examiner notes that Conservatorship of the estate was required by the VA for the purchase of the home, and now that conservatorship is in place, the Court may require such conservatorship estate accountings to include all funds and accounts, including those previously approved by the VA for use by the Conservatee.
3. The Court may also require clarification regarding the numerous \$25 wire transfer fees that appear to be associated with this monthly transfer. Examiner notes that there are typically many ways to transfer funds between institutions that may not require this type of fee.
4. Disbursements include DMV registration fees; however, the conservatorship estate does not include a vehicle. Need clarification.

Note: Although conservatorship was originally requested by the VA in order for the Conservatee to purchase a home with VA funds, now that conservatorship is in place, the conservator is responsible for marshaling assets, determining their value, and accounting for such assets. See Duties of Conservator. If there are additional assets that require valuation, a revised I&A and account may be required. If the vehicle does not belong to the Conservatee, need clarification, as this may be an inappropriate expenditure from the conservatorship estate.

5. The disbursements schedule indicates numerous blank/unspecified line items. The Court may require clarification.
6. The disbursements schedule indicates payment to Attorney Krbechek of \$392.50. However, there does not appear to be a Court order for this amount, or itemization if these were appropriate costs pursuant to Local Rules. Need clarification.
7. Need order.

Note: If approved, the Court will set status hearing for the filing of the next accounting as follows:

- Friday 12-13-13 if a one-year account is required
- OR
- Friday 12-12-14 if a two-year account is required

*(Please note that these potential dates are status dates only. When the petition is filed, a new date will be assigned.)*

<b>DOD: 08/25/12</b>		<p><b>DELIA GONZALEZ</b>, sister, was appointed Administrator on 10/10/12 with bond set at \$100,000.00. Letters of Administration were issued on 10/15/12.</p> <p>On 01/18/13, the Administrator filed a Petition to Authorize and Instruct the Administrator, hearing was set for 02/28/13. Among other things, the Petition requested court approval to pay a Creditor's Claim filed by the Fresno County Department of Child Support Services and sought authorization to pay Beverly Gillespie ongoing child support from 09/01/12 until Ms. Gillespie's two children reach age 18 or graduate from high school.</p> <p><b>Minute Order from hearing on 02/28/13 states:</b> The petition is granted as to all issues regarding JDM Brokerage and JDM Transport. The petition regarding child support is continued to 04/04/13. Counsel is directed to speak with mother, Beverly Gillespie, in an effort to resolve the issue of support.</p> <p><b>Status Report filed 04/04/13 states:</b> the claim filed by Fresno County Child Support Services has been paid. Valerie De Valeria on behalf of the County has confirmed that the County will be closing its case as soon as Sacramento confirms receipt of the funds and will make no future claims against the estate. Beverly Gillespie has been advised by Valerie de Valeria that she needs to retain an attorney, seek support through Social Security, and that the County would not seek reimbursement on her behalf. As of 03/26/13, no attorney has contacted Ms. Wright on behalf of Beverly Gillespie. Although the idea of entering into a settlement agreement was discussed at the hearing on 02/28/13, it is unknown when or if Beverly Gillespie will pursue any rights for which she may be eligible under the Family Code.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
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<b>FTB Notice</b>			

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 03/25/13
<b>Updates:</b> 03/29/13
<b>Recommendation:</b>
<b>File 4 – De La Mora</b>

Age: 12 years		<u>Temporary Expires 4/4/2013</u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
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	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

**MARGO ZWEIGLE** and **JOHN ZWEIGLE**, maternal aunt and uncle, are petitioners.

Father: **ROY CONSTANCIO** – Court dispensed with notice per minute order dated 2/14/13.

Mother: **MICHELE LEE SHEPARD** – consents and waives notice.

Paternal grandparents: Unknown

Maternal grandfather: Leroy Spettstoesser  
Maternal grandmother: Ann Shepard

Minor: Rayne Shepard – consents and waives notice.

**Petitioners state:** the child has lived with Petitioners for more than one year. They are concerned that if the mother is served she will remove the child from their home. The child is doing very well and to take her from the home would be detrimental.

**Court Investigator Dina Calvillo's Report** filed 3/8/13.

1. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for:

- Leroy Spettstoesser (maternal grandfather)
- Ann Shepard (maternal grandmother)
- Paternal grandparents (unknown)

Reviewed by: KT
Reviewed on: 3/27/13
Updates:
Recommendation:
File 5 - Shepard

**Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

<b>DOD:10/12/2012</b>		<b>EDDIE J. ROGERS</b> , son is petitioner and requests appointment as Administrator with Will Annexed without bond.  Full IAEA - ?  Will dated: 01/30/1982  Residence: Sanger Publication: The Sanger Herald	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>6B is the competing Petition of Carole L. Harsch, decedent's daughter.</b> <b>6C is the Petition for Order to Produce Will filed by the decedent's daughter.</b>  1. Need original Will to be deposited with the Court pursuant to Probate Code §8200 (a)(1). The will that was deposited with the Court was determined to be a copy.  2. Will waives bond for named executor of the will. Eddie J. Rogers was not named in the will therefore need waivers of bond from the following: <ul style="list-style-type: none"> <li>• Eddie J. Rogers</li> <li>• Carole L. Harsch</li> <li>• Calvin Rogers</li> <li>• Sandy Labbe</li> </ul> Or the bond set at \$144,000.00 <b>Note: If the petition is granted status hearings will be set as follows:</b> <ul style="list-style-type: none"> <li>• Friday, 09/06/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u></li> <li>• Friday, 06/06/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from</b>			
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<b>Sp.Ntc.</b>		<b>Estimated value of the Estate:</b> Personal property \$55,000.00 Real property \$89,000.00 <b>Total: \$144,000.00</b>  Probate Referee: Steven Diebert	
<b>Pers.Serv.</b>			
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<b>Aff. Posting</b>		<b>Reviewed by:</b> LV <b>Reviewed on:</b> 03/22/2013 <b>Updates:</b> 03/28/2013 <b>Recommendation:</b> <b>File 6A - Rogers</b>	
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

**Probate of Will and for Letters of Administration with Will Annexed; Authorization to Administer Under the Independent Administration of Estates Act**

<b>DOD: 10/12/2012</b>	<b>Carole L. Harsch</b> , daughter is petitioner and requests appointment as Administrator with Will Annexed without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		1. Proposed personal representative is a resident of Nevada. Probate Code §8571 states not withstanding a waiver of bond, the Court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the Court.
<b>Cont. from</b>		2. Need original Will to be deposited with the Court pursuant to Probate Code §8200 (a)(1).
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	s/p	3. Attachment 3(d)(2) to the Petition states every beneficiary requests bond be waived. Need signed waivers of bond from Eddie J. Rogers and Dana Thompson or bond set at \$225,000.00.
✓ <b>Verified</b>		4. Need Duties & Liabilities of Personal Representative.
<b>Inventory</b>		5. Need Affidavit of Publication in the correct newspaper pursuant to Local Rule 7.9.A. Petitioner states that the decedent resided in Sanger therefore the correct publication should be The Sanger Herald. Petitioner published in The Business Journal.
<b>PTC</b>		6. #5a(7) or #5a(8) of the Petition is not answered regarding issue of predeceased child.
<b>Not.Cred.</b>		
✓ <b>Notice of Hrg</b>	Residence: Sanger Publication: The Business Journal	
✓ <b>Aff.Mail</b>	w/o	
✓ <b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
✓ <b>Letters</b>	Probate Referee: Steven Diebert	
<b>Duties/Supp</b>		
<b>Objections</b>		
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✓ <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

<b>Estimated value of the Estate:</b> Personal property \$225,000.00
<b>Please see additional page</b>
<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 03/22/2013
<b>Updates:</b> 03/28/2013
<b>Recommendation:</b>
<b>File 6B – Rogers</b>



**Declaration of EJ Rogers in response to Petitions for Order to Produce Will and to Administer Estate Submitted by Carole Harsch filed 03/21/2013 states the following:**

- The only will that Mr. EJ Rogers had in his possession was lodged with the Court on 02/22/2013 and copies of the will were served on each of the decedent's children.
- Mr. Rogers states he obtained the decedent's will from his sister Dana Thompson who had possession of the will for several years and not from the decedent's home as petitioner, Carole Harsch, alleges in her petition.
- On 10/12/2012, the date the decedent passed, both Mr. Rogers and his brother, Calvin Rogers, searched the home of the decedent for a will however nothing was found. Mr. Rogers has continued to search for a will and states if one is found he will deposit it with the Court.
- In late November or early December Mr. Rogers changed the locks of the decedent's home and installed an alarm system for the purpose of protecting the decedent's personal property. Mr. Rogers believes that some items were taken from the residence including the original will of 1982 and a will naming him and his sister, Dana Thompson, co-executors, and a gold Rolex watch valued at \$30,000.00 to \$50,000.00.
- Mr. Rogers informed his siblings that he was going to change the locks and install an alarm system and at no time did anyone object, inquire about a key or an access code. All were in agreement that it was necessary for the protection of the residence.
- Mr. Rogers never received the letter dated 02/19/2013 demanding the production of the will as stated in Carole Harsch's petition.
- A week after the decedent passed siblings, Calvin Rogers, Dana Thompson and EJ Rogers agreed that EJ Rogers would be the executor as Dana lived out of state. Sandy Labbe and Carole Harsch were informed of this and at no time did they object.
- Mr. Rogers was shocked and saddened when he received a copy of the petition filed by Carole Harsch. He states that he has had a loving relationship with his sister Carole Harsch for many years and would in no way take advantage of his family.
- Mr. Rogers states that he is the eldest of the decedent's children and will administer the estate within the dictates of the law. He is a retired, Sr. Deputy Sheriff and was employed with the Ventura County Sheriff's Department for 27 years. After retirement he was entrusted to handle large sums of money at the Ventura Yacht Sales and the City of Camarillo as a Parking Enforcement Supervisor. Mr. Rogers states he performed his duties with integrity and honesty and will equally perform his duties as Administrator.

**Declaration of Dana Thompson in Response to Petitions for Order to Produce Will and for Appointment to Administer Estate Submitted by Carole Harsch filed 03/21/2013 states the following:**

- She was notified on 10/12/2012 by her brother, Calvin L. Rogers, that her father was deceased and that he was looking for the decedent's will.
- 10/13/2012 Ms. Thompson was notified by her brother EJ Rogers that he and Calvin Rogers had been searching for the decedent's will however it could not be found.

**Please see additional page**

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- Dana Thompson states on 10/14/2012 that she scanned and emailed a copy of the decedent's 30 year old will that she had in her possession to each of her siblings. She later provided the hard copy of the will to EJ Rogers to file with his petition.
- Dana Thompson's reasons for declining to serve as Executrix as provided in her father's will are because of logistics and costs. Ms. Thompson resides in Salem Oregon making it more expensive to travel to Fresno, Ca. to function as Executrix of the decedent's estate.
- Ms. Thompson discussed with her brother, EJ Rogers, that if she declined to be executrix would he be willing to serve as Administrator. Mr. Rogers agreed.
- Decedent had expressed to Ms. Thompson and EJ Rogers in the presence of each other that his wishes were that the two of them function as executors of his estate however no new will stating such has been found.
- Dana Thompson states that it was the goal of her and EJ Rogers to keep the costs of administration down in order to maximize each of the siblings' inheritance. Now that Carole Harsch has hired an attorney, to which Ms. Thompson strongly opposes, the estate would be at a loss of over \$16,000.00 and not in the best interest of the beneficiaries.
- Dana Thompson states she would have never declined her duties as executrix if she wasn't trying to maximize each of the inheritances of the beneficiaries as was the intent of her father.
- Dana Thompson believes EJ Rogers should be appointed as Administrator, he is the eldest son, is honest and will follow the dictates of the law wherein each of the decedent children would receive 1/5 share.

**Note: If the petition is granted status hearings will be set as follows:**

- **Friday, 09/06/2013 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Friday, 06/06/2014 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

## Petition for Order to Produce Will

<b>DOD: 10/12/2012</b>		<b>Carole L. Harsch</b> , daughter is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition for Order to Produce Will states that attached to the Petition is Exhibit A, a letter dated 02/19/2013 that was delivered to Eddie J. Rogers demanding production of the will, however it is not attached.					
<b>Cont. from</b>								
	<b>Aff.Sub.Wit.</b>							
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	<b>Inventory</b>							
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	<b>Status Rpt</b>							
	<b>UCCJEA</b>							
	<b>Citation</b>							
	<b>FTB Notice</b>							
<p><b>Petitioner states:</b> on or about 11/15/2012, petitioner and Eddie J. Rogers, discussed the death of their father James Edward Rogers, and the fact that Petitioner needs the will to commence probate proceedings. Eddie J. Rogers told petitioner he had the will and was not going to allow it to be released from his custody, either to Petitioner or to the Court directly. Petitioner believes, based on comments from Eddie J. Rogers, that he tried to get the decedent to sign a new will more beneficial to Eddie J. Rogers and therefore will not allow the will to be probated.</p> <p>Eddie J. Rogers further stated to Petition that he took the will from his sister, Dana Thompson, who had located the will in the decedent's drawers and boxes shortly after his death.</p> <p>Further, Eddie J. Rogers changed the locks on the real property which is the subject of the current probate, installed an alarm and has refused to provide the alarm code or keys to any of Petitioner's surviving siblings.</p> <p>Petitioner prays for a Court Order requiring Eddie J. Rogers to deliver the original will of the decedent, James Edward Rogers, either to counsel for petitioner or directly to this court.</p> <p style="text-align: center;"><u><b>Please see additional page</b></u></p>			<table border="1"> <tr> <td><b>Reviewed by:</b> LV</td> </tr> <tr> <td><b>Reviewed on:</b> 03/22/2013</td> </tr> <tr> <td><b>Updates:</b> 03/28/2013</td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 6C – Rogers</b></td> </tr> </table>	<b>Reviewed by:</b> LV	<b>Reviewed on:</b> 03/22/2013	<b>Updates:</b> 03/28/2013	<b>Recommendation:</b>	<b>File 6C – Rogers</b>
<b>Reviewed by:</b> LV								
<b>Reviewed on:</b> 03/22/2013								
<b>Updates:</b> 03/28/2013								
<b>Recommendation:</b>								
<b>File 6C – Rogers</b>								

**Declaration of EJ Rogers in response to Petitions for Order to Produce Will and to Administer Estate Submitted by Carole Harsch filed 03/21/2013** states the following:

- The only will that Mr. EJ Rogers had in his possession was lodged with the Court on 02/22/2013 and copies of the will were served on each of the decedent's children.
- Mr. Rogers states he obtained the decedent's will from his sister Dana Thompson who had possession of the will for several years and not from the decedent's home as petitioner, Carole Harsch, alleges in her petition.
- On 10/12/2012, the date the decedent passed, both Mr. Rogers and his brother, Calvin Rogers, searched the home of the decedent for a will however nothing was found. Mr. Rogers has continued to search for a will and states if one is found he will deposit it with the Court.
- In late November or early December Mr. Rogers changed the locks of the decedent's home and installed an alarm system for the purpose of protecting the decedent's personal property. Mr. Rogers believes that some items were taken from the residence including the original will of 1982 and a will naming him and his sister, Dana Thompson, co-executors, and a gold Rolex watch valued at \$30,000.00 to \$50,000.00.
- Mr. Rogers informed his siblings that he was going to change the locks and install an alarm system and at no time did anyone object, inquire about a key or an access code. All were in agreement that it was necessary for the protection of the residence.
- Mr. Rogers never received the letter dated 02/19/2013 demanding the production of the will as stated in Carole Harsch's petition.
- A week after the decedent passed siblings, Calvin Rogers, Dana Thompson and EJ Rogers agreed that EJ Rogers would be the executor as Dana lived out of state. Sandy Labbe and Carole Harsch were informed of this and at no time did they object.
- Mr. Rogers was shocked and saddened when he received a copy of the petition filed by Carole Harsch. He states that he has had a loving relationship with his sister Carole Harsch for many years and would in no way take advantage of his family.
- Mr. Rogers states that he is the eldest of the decedent's children and will administer the estate within the dictates of the law. He is a retired, Sr. Deputy Sheriff and was employed with the Ventura County Sheriff's Department for 27 years. After retirement he was entrusted to handle large sums of money at the Ventura Yacht Sales and the City of Camarillo as a Parking Enforcement Supervisor. Mr. Rogers states he performed his duties with integrity and honesty and will equally perform his duties as Administrator.

**Please see additional page**

**Declaration of Dana Thompson in Response to Petitions for Order to Produce Will and for Appointment to Administer Estate Submitted by Carole Harsch filed 03/21/2013** states the following:

- She was notified on 10/12/2012 by her brother, Calvin L. Rogers, that her father was deceased and that he was looking for the decedent's will.
- 10/13/2012 Ms. Thompson was notified by her brother EJ Rogers that he and Calvin Rogers had been searching for the decedent's will however it could not be found.
- Dana Thompson states on 10/14/2012 that she scanned and emailed a copy of the decedent's 30 year old will that she had in her possession to each of her siblings. She later provided the hard copy of the will to EJ Rogers to file with his petition.
- Dana Thompson's reasons for declining to serve as Executrix as provided in her father's will are because of logistics and costs. Ms. Thompson resides in Salem Oregon making it more expensive to travel to Fresno, Ca. to function as Executrix of the decedent's estate.
- Ms. Thompson discussed with her brother, EJ Rogers, that if she declined to be executrix would he be willing to serve as Administrator. Mr. Rogers agreed.
- Decedent had expressed to Ms. Thompson and EJ Rogers in the presence of each other that his wishes were that the two of them function as executors of his estate however no new will stating such has been found.
- Dana Thompson states that it was the goal of her and EJ Rogers to keep the costs of administration down in order to maximize each of the siblings' inheritance. Now that Carole Harsch has hired an attorney, to which Ms. Thompson strongly opposes, the estate would be at a loss of over \$16,000.00 and not in the best interest of the beneficiaries.
- Dana Thompson states she would have never declined her duties as executrix if she wasn't trying to maximize each of the inheritances of the beneficiaries as was the intent of her father.
- Dana Thompson believes EJ Rogers should be appointed as Administrator, he is the eldest son, is honest and will follow the dictates of the law wherein each of the decedent children would receive 1/5 share.

			NEEDS/PROBLEMS/COMMENTS:  Examiner notes not posted
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3-27-13
			Updates:
			Recommendation:
			File 7 – Lopez-Aiña

## Petition for Visitation

<b>Age: 5</b>		<b>LASHAE KEE</b> , step-mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>DENNIS KEE, SR.</b> and <b>LINDA KEE</b> , paternal grandparents, were appointed co-guardians of the person on 03/05/12.	
<b>Cont. from</b>		Father: <b>DENNIS KEE, JR.</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Mother: <b>ANGELA WHATLEY</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Maternal grandparents: UNKNOWN	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	<b>Petitioner states</b> that during the temporary guardianship hearing, the court ordered visitation between Jade and her siblings. Since the hearing on the general petition, the guardians have not allowed visitation and Jade's siblings have not had any contact with her. Petitioner states that she has attempted to contact the guardians on several occasions, but they have not returned her call. Petitioner states that she feels it's important for Jade to keep in contact with her siblings. Petitioner states that the guardians have not allowed the children to visit due to their negative attitude toward her, but she feels that is irrelevant when it comes to the children; sibling relationships are important and need to be established. Jade has over 10 siblings that she doesn't get to see and Petitioner wants to change that for the sake of all the children.	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	x	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 03/27/13
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 8 - Whatley</b>

Petition for Termination of Guardianship

Juliana, 8	VALERIE VASQUEZ, maternal aunt/Guardian, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Request for Dismissal</b> <b>entered 03/27/13</b>  1. Need Notice of Hearing. 2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Termination of Guardianship or Declaration of Due Diligence or Consent & Waiver of Notice for: - Julian Reed, Sr. (father) - Samantha Reed (mother) - Paternal grandfather (unknown) - Grace Reed (paternal grandmother) - Joe Vasquez (maternal grandfather) - Lucy Furch (maternal grandmother)
Julian, 7	VALERIE VASQUEZ, maternal aunt, was appointed guardian on 07/11/12. Letters of guardianship were issued on 07/11/12.		
William, 5			
Cont. from	Father: JULIAN REED, SR. – Currently incarcerated		
Aff.Sub.Wit.			
✓ Verified		Mother: SAMANTHA REED	
Inventory			
PTC		Paternal grandfather: UNKNOWN	
Not.Cred.		Paternal grandmother: GRACE REED	
Notice of Hrg	x	Maternal grandfather: JOE VASQUEZ	
Aff.Mail	x	Maternal grandmother: LUCY FURCH	
Aff.Pub.		<b>Petitioner states</b> that the mother of the minors is able and willing to care for her children. She has taken care of her legal issues and is ready to take responsibility for her children.	
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters		<b>Court Investigator Julie Negrete filed a report on 03/26/13.</b>	
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 03/27/13
Updates:
Recommendation:
File 9 - Reed



Petition to Determine Succession to Real Property and Personal Property (Prob. C.  
13151)

<b>DOD: 10/20/2012</b>	<b>JUDY SMILEY</b> , surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Attachment 11 does not include decedent's interest in the property.  2. Inventory and Appraisal appears to be a copy. Need original.
	40 days since DOD	
<b>Cont. from</b>	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>	I&A - <b>\$118,500.00</b>	
<input type="checkbox"/> <b>PTC</b>	Will dated 09/09/2008 devises all property both real and personal to surviving spouse, Judy Smiley.	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input type="checkbox"/> <b>Aff.Pub.</b>	Petitioner requests Court determination that decedent's interest in real property located at 2804 E. Gettysburg Ave, Fresno California, and man's wedding ring, dinner ring, furniture and furnishings, and men's clothing pass to Judy Smiley pursuant to decedent's will.	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 03/22/2013
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 10 - Smiley</b>

Age: 13		<div> <div> <b>TEMPORARY GRANTED EX PARTE;</b>  <b>EXPIRES 04/04/13</b> </div> <div> <b>GENERAL HEARING 05/22/13</b> </div> <p><b>ERNEST MONTEZ, JR.</b>, biological father, is Petitioner.</p> <p>Mother (adoptive): <b>EVELYN DUARTE</b>  - Personally served 3-26-13</p> <p>Mother (biological): <b>ROCHELLE DUARTE</b></p> <p>Paternal grandfather: ERNEST MONTEZ, SR.  Paternal grandmother: YOLANDA MONTEZ – deceased</p> <p>Maternal grandmother: EVELYN DUARTE (also adoptive mother)  Maternal grandfather: ROBERT DUARTE – deceased</p> <p>Siblings: JULIAN DUARTE, MARIAH MONTEZ, ALEXIS MONTEZ, ERNEST MONTEZ, III  - Jillian and Ernest personally served 3-26-13</p> <p><b>Petitioner alleges</b> Jacob ran away from his adoptive mother's home and refuses to return. Jacob stated that he is being verbally and physically abused. Jacob states that Evelyn Duarte (maternal grandmother/adoptive mother) punched him in the face and repeatedly hit him in the back of the head. Petitioner states that he fears for Jacob's welfare living on the street or moving from place to place. Jacob refuses to return to Evelyn Duarte's home because he fears for his safety and fears he will have to protect himself.</p> </div>	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: JF
Reviewed on: 03/27/13
Updates: 04/03/13 (skc)
Recommendation:
File 11 - Casey

Atty Gonzalez, Esperanza (pro per Guardian/paternal grandmother)

Atty Gonzalez, Belen (pro per Guardian/paternal step-grandfather)

Atty Arredondo, Maria (pro per Petitioner/maternal grandmother)

## Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Isaac age: 13	<b>GENERAL HEARING 5/14/13</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
Marcus age: 10	MARIA ARREDONDO, maternal grandmother, is petitioner.		Esperanza Gonzalez and Belen Gonzales, paternal grandparents, are the current guardians. Therefore, there is no vacancy.
	ESPERANZA GONZALEZ and BELEN GONZALEZ, paternal grandparents, were appointed guardians on 3/5/2011.		
Cont. from 032813	Father: ISAAC CERDA		Note: A Petition for Termination has been filed by Petitioner Maria Arredondo and is set for hearing on 5/14/2013.
<input type="checkbox"/> Aff.Sub.Wit.	Mother: EUGENIA ARREDONDO		
<input checked="" type="checkbox"/> Verified	Paternal grandfather: Not listed		1. Need proof of <b>personal</b> service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> <li>Esperanza Gonzalez (guardian/paternal grandmother)</li> <li>Belen Gonzalez (guardian/paternal grandfather)</li> <li>Isaac Cerda (father)</li> <li>Eugenia Arredondo (mother)</li> <li>Isaac Cerda, Jr. (minor)</li> </ol>
<input type="checkbox"/> Inventory	Maternal grandfather: Not listed.		
<input type="checkbox"/> PTC	<b>Petitioner states</b> the children are in need of better caring. They usually look sick. Probably they suffer some kind of negligence. Source of negligence unknown.		
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			Note: Esperanza Gonzales and Eugenia Arredondo were served by mail on 3/26/13 however Probate Code 2250 (e) requires personal service.
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			Reviewed by: KT
<input type="checkbox"/> FTB Notice			Reviewed on: 4/2/13
			Updates:
			Recommendation:
			File 12 – Cerda & Aguirre